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**FAX TRANSMITTAL
TO THE UNITED STATES PATENT OFFICE**

OFFICIAL

Applicants Docket Number:
DEAV2001/0002 US NP

Applicants:
MULLER, et al.

Serial No.
10/067,449

Filing Date:
February 5, 2002

Title of Invention:
SACCHAROMYCES CEREVISIAE YEAST STRAIN WITH FUNCTIONAL EXPRESSION OF A GLUT
TRANSPORTER

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via
facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450, Gerald G. Leffers, Jr., at 703-872-9306, on
Date of Deposit May 3, 2004
Printed Name of Person Signing Certificate Jonas Pierre, Sr.
Signature

Total Number of Pages Sent: 2

Attorney: F. Aaron Dubberley
Reg. No. 41,001
Group Art Unit: 1636
Examiner: LEFFERS, Jr., Gerald G.

TO: Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Please acknowledge receipt of the below-listed documents for the above Application by returning this sheet,
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| <input type="checkbox"/> Charge deposit account, in duplicate | <input type="checkbox"/> Petition under 37 CFR _____ |
| <input type="checkbox"/> Extension of Time Petition | <input checked="" type="checkbox"/> Other <u>Response to Restriction Requirement</u> |
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Aventis Pharmaceuticals Inc., Route 202-206, P.O. Box 6800, Bridgewater, New Jersey 08807, U.S.A. www.aventis.com
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Aventis Pharmaceuticals Inc. template (March 2001)

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AVENTIS US PAT DEPT

NO. 2367

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 03 2004

In re Application of
MULLER, et al.

Examiner: **LEFFERS, Jr., Gerald G.**

Art Unit: **1636**

Application No.: **10/067, 449**

Filed: **February 5, 2002**

Title: **SACCHAROMYCES CEREVISIAE
YEAST STRAIN WITH FUNCTIONAL
EXPRESSION OF A GLUT
TRANSPORTER**

TELEFAX CERTIFICATE

I hereby certify that this correspondence is being
transmitted via facsimile to the Commissioner for
Patents, Alexandria, VA 22313, on

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James H. Hinkle, Sr.

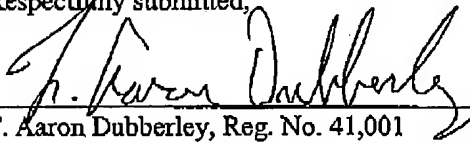
RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed April 2, 2004, requiring restriction of the claims, Applicants elect Group I, drawn to "...yeast strains which can no longer grow on substrates with hexoses as the sole carbon source and whose ability of growing on a hexose substrate can be restored when a GLUT4 gene is expressed in the strain... and methods of making such strains", see page 2 of the Office Action. Applicants note that in addition to claims 1-10, which the Office Action identifies as belonging to Group I, claims 18 and 19 also belong to this group. Accordingly Applicants elect prosecution of claims 1-10, 18 and 19. The Commissioner is authorized to charge any additional fees or credit any overpayment necessitated by this response to Deposit Account No. 18-1982.

Respectfully submitted,


F. Aaron Dubberley, Reg. No. 41,001
Attorney/Agent for Applicant

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